



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

AND

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

CRIMINAL APPEAL NO.530 OF 2026 (21(NIA))

BETWEEN:

MR. SHAIKH MUHAMMED BILAL
S/O. NIYAZ AHMED
AGED ABOUT 26 YEARS
RESIDING AT NO.M 5, 3RD MAIN ROAD
KUSHAL NAGAR, K.G. HALLI
BENGALURU NORTH
BENGALURU-560 057.

...APPELLANT

(BY SRI RAHAMATHULLA KOTHWAL, ADVOCATE)

AND:

STATE BY NATIONAL INVESTIGATION AGENCY
REPRESENTED BY SPECIAL PUBLIC PROSECUTOR
BENGALURU.

...RESPONDENT

(BY SRI PRASANNA KUMAR P., SPL.PP)

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THIS CRIMINAL APPEAL IS FILED UNDER SECTION 21(4) OF THE NIA PRAYING TO SET ASIDE THE IMPUGNED ORDER OF THE HON'BLE XLIX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE AND SPECIAL COURT OF NIA CASES (CCH-50) AT BENGALURU DATED 3-3-2026 AND GRANT BAIL TO THE APPELLANT IN RC-35/2020/NIA/DLI IN SPL.CC NO.141 OF 2021, INVESTIGATED BY NIA FOR THE OFFENCES U/S 120B, 143, 145, 147, 188, 353 AND



427 R/W 34 AND 149 OF IPC SECTIONS 16, 18, 20 OF UA (P) AC 1967 AND SECTION 2 OF THE PREVENTION OF DESTRUCTION AND LOSS OF PROPERTY ACT 1981 AND ETC.

THIS CRIMINAL APPEAL, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ
and
HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ)

Appellant/accused No.15 is before this Court in this appeal preferred under Section 21(4) of the National Investigation Agency Act, 2008 (for short, "NIA Act"), being aggrieved by the Order dated 03.03.2026 passed by the Court of XLIX Additional City Civil and Sessions Judge (Special Court for the trial of NIA cases) (CCH-50), Bengaluru in Spl.C.No.141/2021, wherein appellant's application filed under Section 439 of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C."), seeking regular bail has been rejected.



2. The appellant is seeking to set aside the impugned order and consequently to enlarge him on bail.

3. The prayer in the appeal is opposed by the learned Special Public Prosecutor appearing for the State/NIA by filing statement of objection.

4. Heard both sides and perused the material on record.

5. The appellant, arraigned as accused No.15, has been charge sheeted for the offences under the Indian Penal Code, 1860 (for short, "IPC") as well as under the Unlawful Activities (Prevention) Act, 1967 (for short, "UA(P) Act").

6. The Special Court has rejected the prayer for bail, observing that it has already rejected his bail application, arriving at a conclusion that from the charge sheet materials placed on record, there are reasonable grounds to believe that the accusations made against him



are *prima-facie* true. It is further observed that the observation of the Court was confirmed by this Court in Criminal Appeal No.585 of 2021 as well as by the Supreme Court in SLP (Criminal) No.1057 of 2022 and further, there is a bar under Section 43D(5) of the UA(P) Act.

7. Appellant is seeking bail mainly on the ground that similarly placed accused are enlarged on bail by this Court as well as by the Apex Court, which is not in dispute. The learned counsel for the appellant has filed a memo along with the order passed by the Apex Court in SLP (Criminal) No.11626 of 2025 connected with SLP (Criminal) No.14302 of 2025, granting bail to accused Nos.24 and 6, respectively and the order passed in SLP (Criminal) No.17354 of 2025 connected with SLP (Criminal) No.17070 of 2025, wherein the Hon'ble Apex Court has granted bail to accused Nos.25 and 11, respectively. Further, the order passed by this Court in Criminal Appeal No.1722 of 2025 granting bail to accused No.19 and Criminal Appeal No.425 of 2026, granting bail



to accused Nos.5, 7, 12, 13, 20, 22 and 23 are also furnished.

8. The incident dates back to 11/12-08-2020. Charges are framed on 21.05.2025. It is submitted that there are 254 charge sheet witnesses and as on today the trial has not commenced. The appellant is similarly placed as the accused, who are already enlarged on bail by this Court as well as by the Apex Court. He was arrested on 20.12.2020 and he is under incarceration for more than 5 years.

9. Considering the above facts and circumstances, we deem it appropriate to enlarge the appellant on bail on the same terms and conditions imposed against similarly placed accused. Accordingly, the following:

ORDER

- i) The appeal is ***allowed***.



ii) Order dated 03.03.2026 in Spl.C.No.141 of 2021 on the file of the Court of XLIX Additional City Civil and Sessions Judge, (Special Judge for the trial of NIA cases), (CCH-50), Bengaluru, arising from RC-35/2020/NIA/DLI is set aside and the appellant/accused No.15 shall be released on bail, subject to following conditions:

- a) He shall execute a personal bond in a sum of Rs.1,00,000/- (Rupees One lakh only) with two sureties for the likesum to the satisfaction of the trial Court.
- b) He shall not indulge in any criminal activities.
- c) He shall furnish his residential address proof.
- d) He shall not leave the country without prior permission of the trial Court.
- e) He shall appear before the Court regularly.



- f) He shall not tamper with the prosecution witnesses either directly or indirectly.

Copy of the order shall be communicated to the trial Court and the concerned prison forthwith.

**Sd/-
(MOHAMMAD NAWAZ)
JUDGE**

**Sd/-
(VENKATESH NAIK T)
JUDGE**

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List No.: 1 Sl No.: 20